

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

EDDIE JAMES BURTON,

Plaintiff, :

v. :

Clerk of Court EVONNE MULL,
et al., :

Defendants. :

CASE NO.: **1:11-CV-179 (WLS)**

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Thomas Q. Langstaff, filed September 14, 2012. (Doc. 35). It is recommended that Defendant's Motion to Dismiss (Doc. 24) for failure to timely serve Defendant be denied, and that Plaintiff's Motion for Writ of Mandamus (Doc. 16) be dismissed. (Doc. 35 at 2-3). No objections were filed within the fourteen-day period provided pursuant to 28 U.S.C. § 636(b)(1). The objection period expired on September 28, 2012. (*See* Doc. 35 at 3; Docket).

Therefore, upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 35) should be, and hereby is, **ACCEPTED**, **ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant's Motion to Dismiss (Doc. 24) and

Plaintiff's Motion for Writ of Mandamus (Doc. 16) are both hereby **DENIED**.

SO ORDERED, this 20th day of December, 2012.

/s/ W. Louis Sands
THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT